

DIGEST SUPPLEMENT

To Legislative Digest and History of Bills **Edition No. 1 Supplement No. 23***

FIFTY-EIGHTH LEGISLATURE

Thursday, February 12, 2004

32nd Day - 2004 Regular

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House Bills

HB 1230-S2 by House Committee on Financial Institutions & Insurance (originally sponsored by Representatives G. Simpson, Benson, Schual-Berke, Conway, Cooper, Ruderman and Rockefeller; by request of Insurance Commissioner)

Regulating insurable interests and employer-owned life and disability insurance.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Provides for the regulation of insurable interest and employer-owned life and disability insurance.

-- 2004 REGULAR SESSION --

FII - Majority; 2nd substitute bill be Feb 4 substituted, do pass.

Feb 6 Passed to Rules Committee for second reading.

HB 1328-S by House Committee on Finance (originally sponsored by Representatives Fromhold,

Cairnes, Sullivan, Veloria, Skinner, Alexander, Morris, Moeller, Benson, Darneille, Linville, Jarrett, Miloscia, Clibborn, Cox, Pettigrew, Clements, McCoy, Campbell, Romero, O'Brien, Talcott, Ahern, Schindler, Hinkle, Hunt, Rockefeller, Wallace, Quall, Conway, Flannigan, Chase, Blake, G. Simpson, Upthegrove, Kenney, Newhouse, Buck, Woods and Bush)

Clarifying that boarding homes are not subject to taxation under chapter 82.04 RCW. Revised for 1st Substitute: Modifying the tax treatment of boarding homes.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that, upon every person engaging within this state in the business of providing room and domiciliary care to residents of a boarding home licensed under chapter 18.20 RCW, the amount of tax with respect to such business shall be equal to the gross income from such services multiplied by the rate of 0.275 percent.

Provides that a boarding home licensed under chapter 18.20 RCW may deduct from the measure of tax amounts received as compensation for providing adult residential care, enhanced adult residential care, or assisted living services under contract with the department of social and health services authorized by chapter 74.39A RCW to residents who are medicaid recipients.

Declares that, for purposes of this provision, "adult residential care," "enhanced adult residential care," and 'assisted living services" have the same meaning as in RCW 74.39A.009.

-- 2004 REGULAR SESSION --

Feb 5 FIN - Majority; 1st substitute bill be substituted, do pass.

Feb 6 Passed to Rules Committee for second reading.

HB 1582-S2 by House Committee on Financial Institutions & Insurance (originally sponsored by Representatives Schual-Berke, Rockefeller and Sullivan; by request of Insurance Commissioner)

Forming market assistance plans and joint underwriting associations.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Requires the commissioner to create a Washington association to provide liability insurance for contractors.

Requires the commissioner to provide notice, hold a hearing, and issue findings under chapter 48.04 RCW before forming an association.

Provides that the commissioner may not form an association unless the commissioner finds that: (1) A market assistance plan formed under RCW 48.22.050 cannot adequately serve the needs of businesses or entities described in this act; and

(2) (a) The voluntary market does not have the financial capacity to provide adequate liability insurance to the businesses or entities described in this act; (b) insurance essential for the businesses or entities described in this act to continue business operations is not available in the voluntary market; or (c) there are so few insurers actively selling liability insurance to the businesses or entities described in this act that a competitive market does not exist.

Requires an association to establish a risk management program for businesses or entities insured by the association. The risk management program must include: (1) Standards for systematic investigation and reporting of claims and incidents: and

(2) A loss control and prevention program. This program must include procedures that: (a) Analyze claim frequency, severity, and causes of loss; (b) identify situations that may produce large losses; (c) develop measures to control losses; (d) monitor the effectiveness of the loss control and prevention measures that are implemented; and (e) educate insured businesses or entities on methods to reduce and prevent losses.

Provides that, if the commissioner forms an association, the commissioner must report to the legislature annually about the: (1) Financial condition of the association;

(2) Condition of the voluntary market for those classes or types of insurance available through the association; and

(3) Need to continue the operations of the association. Provides that, by resolution, the legislature may determine, after the commissioner's report, that: (1) Certain classes or types of liability insurance may no longer be offered by the association; or

(2) The association must be dissolved.

-- 2004 REGULAR SESSION --

FII - Majority; 2nd substitute bill be Feb 6 substituted, do pass. Minority; do not pass. Passed to Rules Committee for second reading.

HB 2167-S by House Committee on Transportation (originally sponsored by Representative G. Simpson)

Issuing special Washington heritage license plates.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Establishes provisions for issuing special Washington heritage license plates.

-- 2004 REGULAR SESSION --

Feb 9 TR - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Feb 10 Passed to Rules Committee for second reading.

HB 2308-S by House Committee on Fisheries, Ecology & Parks (originally sponsored by Representatives Schoesler and Cox)

Requiring the department of ecology to develop specific criteria for the types of solid wastes that are allowed to be received by inert waste landfills.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires the department to, as part of the minimum functional standards for solid waste handling required under RCW 70.95.060, develop specific criteria for the types of solid wastes that are allowed to be received by inert waste landfills that seek to continue operation after February 10, 2003.

Provides that the criteria for inert waste developed under this act must, at a minimum, contain a list of substances that an inert waste landfill located in a county with fewer than forty-five thousand residents is permitted to receive if it was operational before February 10, 2003, and is located at a site with a five-year annual rainfall of twenty-five inches or less.

-- 2004 REGULAR SESSION --

Feb 6 FEP - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Passed to Rules Committee for second reading.

HB 2339-S2 by House Committee on Finance (originally sponsored by Representatives Morris, Ericksen, Linville, Quall, Condotta, Wood, Conway, Sullivan, Mielke, Armstrong, Boldt, Orcutt, Newhouse, Hinkle and Hudgins)

Providing tax relief for aluminum smelters.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Provides tax relief for aluminum smelters.

Declares that upon every person who is an aluminum smelter engaging within this state in the business of manufacturing aluminum; as to such persons the amount of tax with respect to such business shall, in the case of manufacturers, be equal to the value of the product manufactured, or in the case of processors for hire, be equal to the gross income of the business, multiplied by the rate of .2904 percent.

Declares that upon every person who is an aluminum smelter engaging within this state in the business of making sales at wholesale of aluminum manufactured by that person, as to such persons the amount of tax with respect to such business shall be equal to the gross proceeds of sales of the aluminum multiplied by the rate of .2904 percent.

Expires January 1, 2007.

Requires that by December 1, 2005, and by December 1, 2006, the fiscal committees of the house of representatives and the senate, in consultation with the department, shall report to the legislature on the effectiveness of the smelter tax incentives. The report shall measure the effect of the smelter tax incentives on job retention for Washington residents, and other factors as the committees select.

-- 2004 REGULAR SESSION --

- Feb 5 FIN Majority; 2nd substitute bill be substituted, do pass.
- Feb 6 Passed to Rules Committee for second reading.

HB 2349-S by House Committee on Fisheries, Ecology & Parks (originally sponsored by Representatives Ericksen and Hinkle)

Allowing small scale resource extraction without written approval.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that any person may engage in small scale prospecting and mining, as that term is defined in RCW 77.55.270, on shorelands and the beds of navigable lakes and rivers not subject to tidal flows where both the surface and mineral rights are possessed by the state or where the surface rights are possessed by the state and the mineral rights are possessed by the person engaging in the small scale prospecting and mining activity without first obtaining a permit, lease, license, or other form of permission from the department, and without being charged a rent or fee.

Provides that the department must allow small scale prospecting and mining, as that term is defined in RCW 77.55.270, on shorelands and the beds of navigable lakes and rivers not subject to tidal flows where both the surface and mineral rights are possessed by the state or where the surface rights are possessed by the state and the mineral rights are possessed by the person engaging in the small scale prospecting and mining activity without first obtaining a permit, lease, license, or other form of permission from the department, and without being charged a rent or fee.

Provides that a person engaging in small scale prospecting and mining, as that term is defined in RCW 77.55.270, may be charged with a class 1 civil infraction under chapter 7.80 RCW if that person satisfies either criteria listed in RCW 77.15.300.

-- 2004 REGULAR SESSION --

Feb 6 FEP - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
Passed to Rules Committee for second reading.

HB 2447-S by House Committee on Finance (originally sponsored by Representatives Sullivan, Lovick, Pearson, McCoy, Hudgins, D. Simpson, Wallace, Armstrong, Wood, Chase, Linville, Upthegrove and Clibborn)

Providing tax incentives for alternative fuels.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides tax incentives for alternative fuels.

Directs the department to issue a sales and use tax deferral certificate for state and local sales and use taxes due under chapters 82.08, 82.12, and 82.14 RCW on each eligible investment project, if the investment project is undertaken for the purpose of manufacturing biodiesel, biodiesel feedstock, or alcohol fuel.

Expires the earlier of: (1) July 1, 2009; or

(2) July 1st of the fiscal year following the first calendar year in which the volume of biodiesel fuel manufactured in Washington exceeds twenty percent of the total of the volume of diesel fuel and biodiesel fuel manufactured in Washington, as determined by the department, in consultation with the department of community, trade, and economic development, using data reported by the federal energy information administration.

Repeals RCW 82.68.040.

-- 2004 REGULAR SESSION --

Feb 6 FIN - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

HB 2481-S2 by House Committee on Appropriations (originally sponsored by Representatives Dickerson, Lovick, Kessler, McIntire, Lantz, Upthegrove, G. Simpson, Darneille, Tom, Moeller, Chase and Santos)

Increasing marriage license fees to fund domestic violence programs.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Increases marriage license fees to fund domestic violence programs.

Requires DSHS to administer funds available from the domestic violence prevention account under this act and establish minimum standards for nonshelter community-based services receiving funds administered by the department.

-- 2004 REGULAR SESSION --

Feb 6 APP - Majority; 2nd substitute bill be substituted, do pass.

Minority; do not pass.

Feb 10 Passed to Rules Committee for second reading.

HB 2497-S by House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Linville, McCoy, Cairnes, Hunt, Rockefeller, Jarrett, Pettigrew, Edwards, Ericksen, Upthegrove, Moeller, Chase, Morrell and Santos)

Notifying tribes of significant natural resource-related action by certain state entities.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires that notification of any significant natural resource-related action undertaken by any state entity must be provided to the legislative authority of any federally recognized Indian tribe that is, or could be, affected by the action.

Applies only to the following state entities: (1) The board of natural resources and the department of natural resources;

- (2) The forest practices board;
- (3) The department of fish and wildlife and the fish and wildlife commission;
 - (4) The department of agriculture;
 - (5) The department of ecology;
 - (6) The state conservation commission;
 - (7) The department of transportation; and
- (8) The state board of health and the department of health.

Provides that an agency may satisfy the requirements of this provision by providing electronic notification, or another method of notification found by the agency to be most cost-effective, to the legislative authority of a federally recognized Indian tribe that the agency determines would be affected by a natural resource-related action.

Declares that no action may be invalidated based on the failure of an agency to provide notification to an Indian tribe under this act.

-- 2004 REGULAR SESSION --

Feb 6 AGNR - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Passed to Rules Committee for second reading.

HB 2564-S2 by House Committee on Appropriations (originally sponsored by Representatives McCoy, Linville, Conway, Rockefeller, Sullivan, McDermott, Ormsby, Hunt, Lovick, Moeller, Kenney, McIntire, Kagi and Clibborn)

Authorizing a pilot program for the settlement of water rights.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Finds that state water law must take into account rights to water based in both state and federal law, including treaties between the federal government and Indian tribes located within the state of Washington.

Finds that it is in the interest of the people of the state, the nation, and Indian tribes located within the state to achieve greater certainty and security regarding the respective water rights based on state and federal law.

Finds that the federal government is actively pursuing resolution of federal and tribal water rights, and has initiated and proposed both informal and formal proceedings to determine federal and tribal rights to water in Washington state.

Declares an intent to direct the state to actively participate in these federal proceedings to represent the interests of the state, to protect rights of water users that rely on state-based water rights, and to ensure that these processes are conducted in a fair and respectful manner.

Requires the state negotiating team to report its findings and recommendations to the governor and appropriate legislative committees by January 1, 2006.

-- 2004 REGULAR SESSION --

Feb 9 APP - Majority; 2nd substitute bill be substituted, do pass.
Minority; do not pass.

Feb 10 Passed to Rules Committee for second reading.

HB 2597-S by House Committee on Children & Family Services (originally sponsored by Representatives Dickerson, Kagi, Darneille, Pettigrew, Kenney, Ruderman, Kirby and Chase)

Requiring clergy to report sexual abuse of a child.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that, when any member of the clergy has reasonable cause to believe that a child has suffered sexual abuse and the accused is another member of the clergy, or an employee, of the same church, religious organization, religious denomination, religious body, spiritual community, or sect, he or she shall report such incident, or cause a report to be made, to the proper law enforcement agency or to the department as provided in RCW 26.44.040.

Declares that the reporting requirement of this act does not apply to a member of the clergy with regard to information obtained solely as a result of a confession made under the clergy-penitent privilege as provided in RCW 5.60.060(3).

Declares that nothing in this act may be construed to create civil liability of any kind or to add reporting obligations of members of the clergy beyond those specifically stated in this act.

-- 2004 REGULAR SESSION --

Feb 5 CFS - Majority; 1st substitute bill be substituted, do pass.

Feb 6 Passed to Rules Committee for second reading.

HB 2645-S by House Committee on Criminal Justice & Corrections (originally sponsored by Representatives O'Brien, Lovick, Pearson, Delvin and D. Simpson)

Including municipal indecent exposure and lewd conduct convictions in the state indecent exposure felony determination.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Includes municipal indecent exposure and lewd conduct convictions in the state indecent exposure felony determination.

-- 2004 REGULAR SESSION --

Feb 6 CJC - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

HB 2650-S by House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Linville, Flannigan, Cooper, Priest, Quall, Jarrett, Kessler, Tom, Rockefeller, Dunshee, Grant, Romero, Moeller, McDermott, O'Brien, Chase, Upthegrove, Hunt, G. Simpson, Kenney, Wallace, Wood and Kagi)

Recognizing important bird areas.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that it is the goal of the legislature to promote: Partnerships with volunteers; rural economic development; nature tourism; and conservation of biodiversity by encouraging partnerships between state government agencies, volunteers, and nonprofit organizations to designate and conserve natural assets that attract nature tourists and bird watchers to Washington's rural areas.

Recognizes the scientific work by Audubon Washington to use internationally recognized scientific criteria and protocols to identify, conserve, and monitor areas of the state that are important for migrating and resident birds.

Declares an intent to have Washington state participate in the recognition portion of the important bird area program by directing the natural heritage program at the department of natural resources to officially recognize important bird areas.

-- 2004 REGULAR SESSION --

Feb 6 AGNR - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Passed to Pules Committee for second

Passed to Rules Committee for second reading.

HB 2661-S2 by House Committee on Appropriations (originally sponsored by Representatives G. Simpson, Newhouse, Anderson, Chase and Miloscia)

Creating a web site for information on fugitives.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Finds that some offenders, often known as escapees or fugitives, willfully discontinue to make themselves available to the department of corrections for supervision by making their whereabouts unknown or by failing to maintain contact with the department as required by their community custody officers

Requires the department of corrections to, within available resources, establish a public list, on the department's available web site, of all persons deemed escapees or fugitives from the department. The department shall focus the web site on those escapees and fugitives considered high risk offenders. The department shall submit a report to the legislature by December 31, 2004, on the progress of the web site.

Provides that the act shall be null and void if appropriations are not approved.

-- 2004 REGULAR SESSION --

Feb 9 APP - Majority; 2nd substitute bill be substituted, do pass.

Feb 10 Passed to Rules Committee for second reading.

HB 2744-S2 by House Committee on Appropriations (originally sponsored by Representatives Miloscia and Armstrong; by request of Secretary of State)

Implementing the Help America Vote Act.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Implements the Help America Vote Act. Repeals RCW 29A.04.181, 29A.08.530, 29A.08.645, 29A.08.650, and 29A.08.750.

-- 2004 REGULAR SESSION --

Feb 6 APP - Majority; 2nd substitute bill be substituted, do pass.

Feb 10 Passed to Rules Committee for second reading.

HB 2779-S by House Committee on Judiciary (originally sponsored by Representatives Clibborn, Lantz, Pettigrew, Darneille and Rockefeller)

Limiting liability for information provided by former or current employers to prospective employers.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that an employer who discloses information about a former or current employee's job performance, conduct, or other work-related information to a prospective employer, or employment agency as defined by RCW 49.60.040, at the specific request of that individual employer or employment agency, is presumed to be acting in good faith and is immune from civil liability for such disclosure or its consequences.

Declares that, for purposes of this act, the presumption of good faith may only be rebutted upon a showing by clear and convincing evidence that the employer knew that the information was false or misleading.

Requires the employer to retain a written record of the information disclosed under this act for a minimum of two years from the date of the disclosure. The employee has a right to inspect the written record upon request. The written record shall become part of the employee's personnel file, subject to the provisions of chapter 49.12 RCW.

-- 2004 REGULAR SESSION --

Feb 6 JUDI - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second

Passed to Rules Committee for second reading.

HB 2805-S2 by House Committee on Appropriations (originally sponsored by Representatives Romero, McIntire, Haigh, Dunshee, Moeller, Clibborn and Morrell)

Creating a blue ribbon commission on land use and local government finance.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Finds that there is a need to understand what impact the current trends in city and county revenue sources and expenditures may have on land-use planning and meeting the goals of the growth management act, especially goals regarding locating development where adequate facilities exist, reducing sprawl, encouraging efficient transportation systems, and providing affordable housing.

Declares an intent to create the blue ribbon commission on land use and local government finance to understand and make recommendations on the impact that current trends in city and county revenue sources and expenditures may have on land-use decisions made by counties and cities and meeting the goals of the growth management act.

Provides that the commission shall convene commencing June 1, 2004, and shall complete its work by June 30, 2006. The commission shall submit a report to the governor and the appropriate committees of the legislature

stating its findings, conclusions, and recommendations not later than November 1, 2005.

Provides that the act shall be null and void if appropriations are not approved.

-- 2004 REGULAR SESSION --

Feb 9 APP - Majority; 2nd substitute bill be substituted, do pass.
Minority; do not pass.

Feb 10 Passed to Rules Committee for second reading.

HB 2808-S by House Committee on Transportation (originally sponsored by Representatives Murray, Jarrett, Hankins, Wallace, Hudgins, Cooper, Hunter, Moeller, Sullivan and Dickerson)

Authorizing a pilot project for high-occupancy toll lanes.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Recognizes that the Puget Sound region is faced with growing traffic congestion and has limited ability to expand freeway capacity due to financial, environmental, and physical constraints. Freeway high-occupancy vehicle lanes have been an effective means of providing transit, vanpools, and carpools with a fast trip on congested freeway corridors, but in many cases, these lanes are themselves getting crowded during the peak commute times, while some are being underused at off-peak times.

Declares an intent to maximize the effectiveness and efficiency of the freeway system. To evaluate methods to accomplish this, it is beneficial to evaluate alternative approaches to managing the use of freeway high-occupancy vehicle lanes, including pilot projects to determine and demonstrate the effectiveness and benefits of implementing high-occupancy toll lanes.

Acknowledges that state route 167 provides an ideal test of the high-occupancy toll lane concept because it is a congested corridor, it has underused capacity in the high-occupancy vehicle lane, and it has adequate right of way for improvements needed to test the concept.

Declares an intent to direct that the department of transportation, as a pilot project, develop and operate a high-occupancy toll lane on state route 167 in King county and to conduct an evaluation of that project to determine impacts on freeway efficiency, effectiveness for transit, feasibility of financing improvements through tolls, and the impacts on freeway users.

-- 2004 REGULAR SESSION --

Feb 5 TR - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Feb 6 Passed to Rules Committee for second reading.

HB 2826-S by House Committee on Finance (originally sponsored by Representative Morris)

Revising provisions for taxation of products from vending machines. Revised for 1st Substitute: Modifying the taxation of products from vending machines.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises provisions for taxation of products from vending machines.

-- 2004 REGULAR SESSION --

- Feb 5 FIN Majority; 1st substitute bill be substituted, do pass.
- Feb 6 Passed to Rules Committee for second reading.

HB 2849-S by House Committee on Criminal Justice & Corrections (originally sponsored by Representatives Kagi, Cody, Campbell, Bush and Schual-Berke; by request of Department of Health)

Eliminating credentialing barriers for sex offender treatment providers.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Eliminates credentialing barriers for sex offender treatment providers.

Directs the department to issue an affiliate certificate to any applicant who meets the following requirements: (1) Successful completion of an educational program approved by the secretary or successful completion of alternate training which meets the criteria of the secretary;

- (2) Successful completion of an examination administered or approved by the secretary;
- (3) Proof of supervision by a certified sex offender treatment provider;
- (4) Not having engaged in unprofessional conduct or being unable to practice with reasonable skill and safety as a result of a physical or mental impairment; and
- (5) Other requirements as may be established by the secretary that impact the competence of the sex offender treatment provider.

-- 2004 REGULAR SESSION --

Feb 6 CJC - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

HB 2870-S by House Committee on Local Government (originally sponsored by Representatives Romero, Murray, Edwards, Wood, Upthegrove and Santos)

Making available relocation assistance payments to low-income tenants. Revised for 1st Substitute: Making available relocation assistance payments to tenants.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that the purpose of this act is to establish a process, consistent throughout the state, by which tenants would receive funds for relocation from landlords who fail to provide safe and sanitary housing after due notice of building code or health code violations.

Declares it is the purpose of this act to provide enforcement mechanisms to cities, towns, counties, or municipal corporations including the ability to advance relocation funds to tenants who are displaced as a result of a landlord's failure to remedy building code or health code violations and later to collect the full amounts of these relocation funds, along with interest and penalties, from landlords.

-- 2004 REGULAR SESSION --

- Feb 5 LG Majority; 1st substitute bill be substituted, do pass.
 - Minority; do not pass.
- Feb 6 Passed to Rules Committee for second reading.

HB 2891-S by House Committee on Local Government (originally sponsored by Representatives Grant and Mastin)

Providing for withdrawal from and addition to a public utility district. Revised for 1st Substitute: Modifying public utility district provisions.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that any voting precinct located within a county that has a federal nuclear reservation within its boundaries is: (1) Withdrawn from a public utility district if the precinct receives at least one electric distribution, water, or sewer service from a city, and no electric distribution, water, or sewer service from a public utility district; or

(2) Included in a public utility district if any portion of the precinct receives at least one electric distribution, water, or sewer service from the public utility district.

Provides that on July 1, 2009, a city located in a county that has a federal nuclear reservation within its boundaries shall provide electric distribution, water, and sewer service to those households within the city limits that, on July 1, 2004, receive at least one of those services from a public utility district.

-- 2004 REGULAR SESSION --

- Feb 5 LG Majority; 1st substitute bill be substituted, do pass.
- Feb 6 Passed to Rules Committee for second reading.

HB 2911-S by House Committee on Higher Education (originally sponsored by Representatives Kenney, Morrell, Fromhold, Cox and Darneille; by request of State Board for Community and Technical Colleges)

Regarding instructional materials for students with disabilities at public and private institutions of higher education.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Establishes requirements for instructional materials for students with disabilities at public and private institutions of higher education.

-- 2004 REGULAR SESSION --

- Feb 4 HE Majority; 1st substitute bill be substituted, do pass.
 Minority; do not pass.
- Feb 6 Passed to Rules Committee for second reading.

HB 2955-S by House Committee on Education (originally sponsored by Representatives Hunter, Jarrett, Haigh, Cox, Tom, Schual-Berke, Kagi, Quall, Ruderman, Hunt, Santos, Armstrong, Nixon, O'Brien,

Rockefeller, Edwards, Linville, Wallace, Conway and Morrell)

Creating a joint task force on K-12 finance.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that more than a quarter of a century has passed since the current school finance system was first created, and that the challenges facing our schools and students have grown and changed dramatically during that time.

Declares an intent to examine the school finance system to determine whether it is appropriately linked to the demands of education reform and to the goal of providing all children in the state the opportunity to meet standards.

Creates the joint task force on K-12 finance to study the common school finance system and to develop alternative funding models.

Requires the task force to report findings and recommendations to the legislature by October 1, 2006.

-- 2004 REGULAR SESSION --

Feb 5 ED - Majority; 1st substitute bill be substituted, do pass.

Feb 6 Referred to Appropriations.

Feb 10 APP - Executive action taken by committee.

APP - Majority; 2nd substitute bill be substituted, do pass.

Minority; do not pass.

Passed to Rules Committee for second reading.

HB 3002-S by House Committee on Fisheries, Ecology & Parks (originally sponsored by Representatives Cooper, Lovick, Romero and Chase; by request of Washington State Patrol)

Authorizing statewide regulation of outdoor burning.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that, whenever the state fire marshal finds that conditions of extreme fire hazard exist and that state resources or the protection of life or property may be in danger, the fire marshal may recommend to the governor that the governor prohibit all outdoor burning on public and private land throughout the state or within specific portions of the state.

Requires that, in determining whether conditions of extreme fire danger exist, the state fire marshal shall rely on the energy release component, or other component, of the national weather service's national fire danger rating system.

Provides that, prior to making such a recommendation the state fire marshal must first consult with and achieve concurrence from: (1) The commissioner of public lands;

- (2) The director of the department of ecology;
- (3) The director of the department of agriculture; and
- (4) The director of state parks.

Provides that, upon receiving such a recommendation from the state fire marshal, if the governor finds that state resources or the protection of life or property are in danger then the governor may issue an executive order forbidding all outdoor burning throughout the state or within specific portions of the state. The order shall be in effect until rescinded by the governor.

Declares that it shall be unlawful for any person to conduct or cause to be conducted any outdoor burning at any time and place as is forbidden by an executive order issued pursuant to this act.

Provides that intentional violation of this act is a crime and shall be punished as a gross misdemeanor.

Provides that negligent violation of this act is a class 1 civil infraction pursuant to chapter 7.80 RCW.

-- 2004 REGULAR SESSION --

Feb 6 FEP - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

HB 3031-S by House Committee on Education (originally sponsored by Representatives McDermott, Dickerson, Santos, Kenney, D. Simpson, Quall, Conway and Kagi)

Provide for certification of teachers of the deaf and hard of hearing.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares an intent to assist school districts in their efforts to attract teachers who are especially trained to work with deaf and hard of hearing students by directing the state board of education to establish certification for teachers of the deaf and hard of hearing.

Directs the state board of education, with advice from the professional educator standards board, to develop certification requirements for teachers of deaf and hard of hearing students.

-- 2004 REGULAR SESSION --

- Feb 5 ED Majority; 1st substitute bill be substituted, do pass.
- Feb 6 Passed to Rules Committee for second reading.

HB 3042-S by House Committee on Financial Institutions & Insurance (originally sponsored by Representatives Santos, Cairnes, Roach, Sullivan, Wallace, Ormsby, D. Simpson, Chase, Benson, Carrell, Newhouse, G. Simpson, Cooper, Schual-Berke, Hatfield, Kagi and Upthegrove)

Authorizing certain entities to participate in self-insurance risk pools. Revised for 1st Substitute: Allowing adult family homes to individually or jointly self-insure risks.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that chapter 48.62 RCW is intended to provide the exclusive source of authority to a local government entity or adult family home to individually or jointly self-insure risks, jointly purchase insurance or reinsurance, and to contract for risk management, claims, and administrative services. However, local government entities and adult family homes may not participate in any activity or program authorized under this chapter in violation of Article VIII, section 5 or 7 of the state Constitution.

Provides that this chapter shall be liberally construed to grant adult family homes maximum flexibility in selfinsuring to the extent the self-insurance programs are operated in a safe and sound manner.

Declares that this chapter is intended to require prior approval for the establishment of every individual adult

family home self-insured employee health and welfare benefit program and every adult family home self-insurance program.

-- 2004 REGULAR SESSION --

Feb 6 FII - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

HB 3043-S by House Committee on Education (originally sponsored by Representatives Tom, Quall, Bailey, Lantz, McDermott, Anderson, Chase, Morrell and Kenney)

Promoting physical fitness in middle school.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Acknowledges that many young people are not physically active on a regular basis and that physical activity declines dramatically during adolescence.

Finds that overweight adolescents have a seventy percent chance of becoming overweight or obese adults creating additional risks of high blood pressure, heart disease, and stroke.

Recognizes that exercise is an essential component of good health and that teaching children the importance of physical fitness and proper nutrition is vital to improving the health of today's youth.

Recognizes that in addition to health benefits, students can experience greater self-esteem, confidence, and discipline, often leading to greater academic achievement as well

Declares an intent to establish within the common school curriculum a requirement for physical education and fitness instruction and policies most likely to be effective in helping today's youth adopt and maintain a physically active lifestyle.

Provides that, by September 1, 2006, within existing resources, each school district board of directors must adopt or amend as necessary a physical education and fitness curriculum for all middle school students.

Provides that, in order to accommodate a schedule of rotating classes or other scheduling needs, a school district's curriculum may provide for a limited degree of flexibility in meeting the daily requirements for physical activity and aerobic activity, so long as the total number of minutes of aerobic activity each week is equal to or greater than twenty minutes per day.

-- 2004 REGULAR SESSION --

Feb 5 ED - Majority; 1st substitute bill be substituted, do pass.

Feb 6 Passed to Rules Committee for second reading.

Requiring a six-year review of property tax exemptions.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires the joint legislative audit and review committee to review all tax preferences in Title 84 RCW that have not been reviewed under this act beginning in 2005

and every six years thereafter. The review shall be completed and a report prepared on or before June 30th of the year a review is required.

Provides that the review shall not include an evaluation of any tax preference in chapter 84.36 RCW that has been in effect less than two years.

Requires that, upon completion of the review, the committee shall transmit the report to the appropriate committees of the legislature. The report shall include the following: (1) Identification of the populations whose tax liabilities are directly affected by the tax preferences in chapter 84.36 RCW under review;

- (2) Identification where possible of the legislative objective in establishing a tax preference and an assessment of the extent to which the preference has accomplished that objective;
- (3) An estimate of the additional tax revenues that state and local governments would collect if a tax preference is eliminated; and
- (4) An analysis of the change in the distribution of property taxes if a tax preference is eliminated.

Repeals RCW 43.136.010, 43.136.020, 43.136.030, 43.136.040, 43.136.050, and 43.136.070.

-- 2004 REGULAR SESSION --

Feb 5 FIN - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Feb 6 Passed to Rules Committee for second reading.

HB 3110-S by House Committee on Education (originally sponsored by Representatives Cox, Haigh, Schoesler and Armstrong)

Providing for an emergency school repair and renovation account.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Creates the Washington emergency school repair and renovation grant program to help class two school districts pay for any nonrecurring costs associated with urgent facilities repairs and renovations related to health and safety risks, fire and building code deficiencies, access for disabled students, and asbestos abatement or removal.

Requires the office of the superintendent of public instruction to administer the program.

-- 2004 REGULAR SESSION --

Feb 5 ED - Majority; 1st substitute bill be substituted, do pass.

Feb 6 Referred to Capital Budget.

HB 3141-S by House Committee on Technology, Telecommunications & Energy (originally sponsored by Representative Morris)

Establishing a policy to mitigate carbon dioxide emissions.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares an intent to establish the policy for mitigating carbon dioxide emissions resulting from the fossil-fueled electrical generation facilities located in Washington state.

-- 2004 REGULAR SESSION --

Feb 6 TTE - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Passed to Rules Committee for second reading.

HB 3195 by Representatives Lovick, Delvin and O'Brien

Providing civil immunity for broadcasters participating in the Amber alert.

Provides that no cause of action shall be maintained for civil damages in any court of this state against any radio or television broadcasting station or cable television system, or the employees, officers, directors, managers, or agents of the radio or television broadcasting station or cable television system, based on the broadcast of information including, but not limited to, the name or description of an abducted child, the name or description of a suspected abductor, and the circumstances of an abduction supplied by law enforcement officials pursuant to the voluntary broadcast notification system commonly known as the "Amber alert," or as the same system may otherwise be known in this state, which is used to notify the public of missing or abducted children.

-- 2004 REGULAR SESSION --

Feb 11 First reading, referred to Judiciary.

House Joint Memorials

HJM 4042-S by House Committee on Education (originally sponsored by Representatives Linville, Jarrett, Hunt, Chase, Schual-Berke, Kenney and Rockefeller; by request of Superintendent of Public Instruction)

Requesting changes in the No Child Left Behind Act.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requests that the President and Congress of the United States work together with state legislatures and the United States Department of Education to improve language in the No Child Left Behind Act of 2001, and regulations concerning its implementation, to make improvements to address the issues raised in this Memorial, and to grant flexibility and changes that will ensure successful nationwide implementation of the No Child Left Behind Act.

-- 2004 REGULAR SESSION --

Feb 5 ED - Majority; 1st substitute bill be substituted, do pass.

Feb 6 Passed to Rules Committee for second reading.

HJM 4043-S by House Committee on Technology, Telecommunications & Energy (originally sponsored by Representatives Delvin, Hankins, Grant, Schoesler, Clements, Mastin, Cox, Skinner, Newhouse, Jarrett, Chandler, Clibborn and Kessler)

Requesting the privatization of the department of energy's fast flux test facility complex.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requests the privatization of the department of energy's fast flux test facility complex.

-- 2004 REGULAR SESSION --

Feb 6 TTE - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Passed to Rules Committee for second reading.

House Concurrent Resolutions

HCR 4415-S by House Committee on Education (originally sponsored by Representatives Anderson, Haigh, Tom, Santos and Talcott)

Establishing a committee to review basic education.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Resolves that a joint select committee be convened to review and make recommendations on the state's basic education laws.

Resolves that the joint select committee shall hold at least one widely publicized public hearing in the area served by each educational service district to accept public comment on the existing definition of basic education and on possible modifications to that definition.

Requires the joint select committee to report its findings and recommendations to the legislature by January 3, 2007.

-- 2004 REGULAR SESSION --

Feb 5 ED - Majority; 1st substitute bill be substituted, do pass.

Feb 6 Referred to Appropriations.

HCR 4416-S by House Committee on Higher Education (originally sponsored by Representatives Kenney, Cox and Morrell; by request of Higher Education Coordinating Board)

Commending the higher education coordinating board for its work in preparing the 2004 Interim Strategic Master Plan for Higher Education.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requests the board to make the final 2004 strategic master plan both a platform for enhanced advocacy on behalf of higher education and a tool for coordinated planning, funding, and building to meet increased demand for higher education.

-- 2004 REGULAR SESSION --

Feb 6 HE - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Senate Bills

SB 5914-S2 by Senate Committee on Ways & Means (originally sponsored by Senators Carlson and Kohl-Welles)

Relating to higher education. Revised for 1st Substitute: Studying potential higher education opportunities in Vancouver.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Finds it necessary to examine thoroughly and objectively the prospect of creating additional baccalaureate and graduate opportunities in Vancouver. The legislature also recognizes there may be other unserved or underserved areas in the state.

Directs the Washington state institute for public policy to conduct a feasibility study for the creation of additional baccalaureate and graduate opportunities for public higher education in Vancouver.

Directs the institute to submit its findings from the feasibility study to the higher education and fiscal committees of the senate and house of representatives by December 15, 2004.

Requires the institute to develop a proposal for a study that may investigate the need for additional baccalaureate access in other parts of Washington state that are either unserved or underserved.

-- 2004 REGULAR SESSION --

Feb 10 WM - Majority; 2nd substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Feb 11 Made eligible to be placed on second reading.

SB 5957-S2 by Senate Committee on Ways & Means (originally sponsored by Senators Hargrove, Rasmussen, Morton, Swecker, Doumit, Sheahan, Oke and Brandland)

Establishing a system of standards and procedures concerning water quality data.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Finds that: (1) Proper collection and review of credible water quality data is necessary to ensure compliance with the requirements of the federal clean water act;

- (2) Developing and implementing water quality protection measures based only on credible water quality data ensures that the financial resources of state and local governments and regulated entities are prioritized to address our state's most important water quality issues; and
- (3) The state currently lacks standards relating to the collection of water quality data even though the collection and analysis of that data provides the basis for water quality protection efforts and can have significant regulatory and financial impacts.

Declares an intent to establish a system of standards and procedures to ensure that only credible water quality data is used as the basis for specific state water quality programs.

Declares an intent that a water body in which pollutant loadings from naturally occurring conditions alone are

sufficient to cause a violation of applicable surface water quality standards not be listed as impaired.

Requires the department to adopt rules describing the training and experience required for a person to be a qualified data collector for the purposes of this act. The rules shall require the training to include a thorough knowledge of the applicable sampling protocols and field methods so that the data collection and interpretation are reproducible, scientifically defensible, and free from preconceived bias.

Declares that any employee of the department who knowingly misrepresents data shall be subject to the provisions of RCW 42.20.040 and 42.20.050.

Provides that, by January 31, 2005, the department of ecology shall report to the appropriate committees of the senate and the house of representatives the status of activities undertaken to comply with the provisions of this act, and shall report by January 2006 any rule making required to implement this act including changes in listings resulting from the use of credible data.

-- 2004 REGULAR SESSION --

Feb 10 WM - Majority; 2nd substitute bill be substituted, do pass.

Minority; do not pass.

Passed to Rules Committee for second reading.

SB 6082-S2 by Senate Committee on Ways & Means (originally sponsored by Senators Parlette, Doumit and Rasmussen)

Expanding the criteria for habitat conservation programs.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Provides that, within the outdoor recreation category the statutory allocations for parks, statewide parks, local parks, trails, and water access sites are increased, with a smaller percentage left unallocated. A new category for recreation and stewardship projects by state agencies replaces the unallocated portion of the habitat conservation category.

Authorizes the Interagency Committee for Outdoor Recreation to retain up to 3 percent of WWRP funds for administration.

-- 2004 REGULAR SESSION --

Feb 10 WM - Majority; 2nd substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Feb 11 Made eligible to be placed on second reading.

SB 6144-S2 by Senate Committee on Ways & Means (originally sponsored by Senators Morton and Deccio)

Developing a statewide plan to address forest health.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Requires that the commissioner and the department develop and pursue cooperative agreements with the United States forest service and the United States bureau of land management using Title 1 of the national environmental policy act of 1969, as amended, specifically using sections 101, 102, 103, 104, and 105.

Declares that the purpose of these agreements is to enable the department to effectively participate in land management plans that could affect the department's strategic plan for healthy forests and effective fire prevention and suppression. Such government-to-government cooperation is vital if the condition of the state's public and private forest lands are to be protected.

Directs the commissioner to report to the chairs of the house of representatives and senate natural resources committees every year on progress under this act.

Designates the commissioner as the state of Washington's lead for all forest health issues.

Requires the commissioner of public lands, as the legislatively designated lead for forest health issues, to develop a statewide plan to address forest health on both public and private lands.

Directs the department of natural resources, working with the forest practices board, to develop statutory and policy recommendations for the legislature by November 1, 2004.

Finds that Washington faces serious forest health problems where forest land is overcrowded with trees infested with or susceptible to insects, diseases, wind, and fire.

Creates a work group to study opportunities to improve the forest health issues enumerated in this act and to develop a strategic plan.

-- 2004 REGULAR SESSION --

Feb 10 WM - Majority; 2nd substitute bill be substituted, do pass.

Passed to Rules Committee for second

Passed to Rules Committee for second reading.

SB 6205-S by Senate Committee on Ways & Means (originally sponsored by Senators Doumit, McCaslin, Regala, Brandland, Prentice, Parlette, Fairley and Haugen)

Authorizing voter approved property tax levies for criminal justice purposes.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Authorizes voter approved property tax levies for criminal justice purposes.

Provides that a county with a population of ninety thousand or less may impose additional regular property tax levies in an amount equal to fifty cents or less per thousand dollars of the assessed value of property in the county in accordance with the terms of this act.

Provides that the tax proposition may be submitted at a general or special election.

Provides that the tax may be imposed each year for six consecutive years when specifically authorized by the registered voters voting on the proposition.

-- 2004 REGULAR SESSION --

Feb 10 WM - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Feb 11 Placed on second reading by Rules Committee.

SB 6217-S2 by Senate Committee on Ways & Means (originally sponsored by Senators Swecker, Prentice, Doumit, Berkey, Morton, Rasmussen, Hale, Jacobsen, Hargrove, Regala, Finkbeiner, T. Sheldon, Horn, Esser, Oke and Haugen)

Creating the Washington regulatory improvement center. Revised for 1st Substitute: Creating the Washington regulatory improvement project.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Declares an intent to create a public-private partnership dedicated to improving the state's competitiveness by developing new approaches to environmental permitting.

Declares that the mission of the regulatory improvement project is to improve the state's economic competitiveness and environmental outcomes by assisting state, federal, and local governmental entities to revise and streamline environmental permitting processes.

Creates the Washington regulatory improvement project to be a collaborative effort between private industry, the state's universities, and government.

Declares that the role of the Washington regulatory improvement project is solely that of research, coordination, and development of recommendations for system improvements. Nothing in this act may be construed to diminish the functions, powers, or duties granted to any permit agency by law. Nothing in this act grants the Washington regulatory improvement project the authority to issue, condition, or deny any permit.

Provides that the act shall be null and void if appropriations are not approved.

-- 2004 REGULAR SESSION --

Feb 10 WM - Majority; 2nd substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Feb 11 Placed on second reading by Rules Committee.

SB 6220-S2 by Senate Committee on Ways & Means (originally sponsored by Senators Kohl-Welles, Johnson, McAuliffe, Esser, Winsley, T. Sheldon, Rasmussen, Kline and Keiser)

Regarding school employee duty to report suspected child abuse or neglect.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Provides that a school employee who has witnessed or has reasonable cause to believe that a student has suffered abuse or neglect by any person, including other school personnel, shall cause a report to be made to the proper law enforcement agency or to the department of social and health services as required under RCW 26.44.030.

Requires school employees to receive training regarding their reporting obligations under state law in their orientation training when hired and then every three years. The training required under this act shall take place within existing training programs and related resources.

-- 2004 REGULAR SESSION --

Feb 10 WM - Majority; 2nd substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Feb 11 Made eligible to be placed on second reading.

SB 6251-S by Senate Committee on Ways & Means (originally sponsored by Senators Winsley, Regala and Fraser; by request of Select Committee on Pension Policy)

Permitting members of the public employees' retirement system plan 2 and plan 3 and the school employees' retirement system plan 2 and plan 3 who qualify for early retirement or alternate early retirement to make a one-time purchase of additional service credit. Revised for 1st Substitute: Permitting members of the public employees' retirement system plan 2 and plan 3, the school employees' retirement system plan 2 and plan 3, and the teachers' retirement system plan 2 and plan 3 who qualify for early retirement or alternate early retirement to make a one-time purchase of additional service credit.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Permits members of the public employees' retirement system plan 2 and plan 3, the school employees' retirement system plan 2 and plan 3, and the teachers' retirement system plan 2 and plan 3 who qualify for early retirement or alternate early retirement to make a one-time purchase of additional service credit.

-- 2004 REGULAR SESSION --

Feb 10 WM - Majority; 1st substitute bill be substituted, do pass. Passed to Rules Committee for second reading.

SB 6274-S2 by Senate Committee on Ways & Means (originally sponsored by Senators Regala, Stevens, Hargrove and Kline)

Changing provisions relating to serious offenses in the context of competency restoration. Revised for 1st Substitute: Changing provisions relating to competency restoration.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Finds that the decision in *Sell v. United States*, ___U.S. ___(2003), requires a determination whether a particular criminal offense is "serious" in the context of competency restoration and the state's duty to protect the public.

Finds that, in order to adequately protect the public and in order to provide additional opportunities for mental health treatment for persons whose conduct threatens themselves or threatens public safety and has led to contact with the criminal justice system in the state, the determination of those criminal offenses that are "serious" offenses must be made consistently throughout the state.

Provides that, in order to facilitate this consistency, the legislature intends to determine those offenses that are serious in every case as well as the standards by which other offenses may be determined to be serious.

Declares an intent to clarify that a court may, to the extent permitted by federal law and required by the *Sell* decision, inquire into the civil commitment status of a defendant and may be told, if known.

Provides that, for purposes of determining whether a court may authorize involuntary medication for the purpose of competency restoration pursuant to RCW 10.77.090, a

pending charge involving any one or more of the following crimes is a serious offense per se in the context of competency restoration: (1) Any violent offense, sex offense, serious traffic offense, and most serious offense, as those terms are defined in RCW 9.94A.030;

- (2) Any offense, except nonfelony counterfeiting offenses, included in crimes against persons in RCW 9.94A.411;
- (3) Any offense contained in chapter 9.41 RCW (firearms and dangerous weapons);
- (4) Any offense listed as domestic violence in RCW 10.99.020;
- (5) Any offense listed as a harassment offense in chapter 9A.46 RCW;
- (6) Any violation of chapter 69.50 RCW that is a class
- (7) Any city or county ordinance or statute that is equivalent to an offense referenced in this act.

Provides that, when the court must make a determination whether to order involuntary medications for the purpose of competency restoration, the court shall inquire, and shall be told, consistent with federal law and to the extent that the prosecutor or defense attorney is aware, whether the defendant is the subject of a pending civil commitment proceeding or has been ordered into involuntary treatment pursuant to a civil commitment proceeding.

Directs the department of social and health services to study and identify in its budget request to the office of financial management the need, options, and plans to address the increasing need for capacity in the forensic units of the state hospitals.

-- 2004 REGULAR SESSION --

Feb 10 WM - Majority; 2nd substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 6358-S2 by Senate Committee on Ways & Means (originally sponsored by Senators Hargrove and Stevens)

Improving communication regarding offenders with treatment orders. Revised for 1st Substitute: Improving collaboration regarding offenders with treatment orders.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Declares an intent to clarify the standards for commitment and improve the coordination between the department of corrections and mental health and chemical dependency treatment providers to enhance public safety by improving compliance with treatment and supervision orders and by providing both treatment providers and the department of corrections with more current, complete information about the offender's status.

Provides that, when a county designated mental health professional or a professional person has determined that a person has a mental disorder, and is otherwise committable, the cause of the person's mental disorder shall not make the person ineligible for commitment under chapter 71.05 RCW.

Requires the department to, subject to available resources, electronically, or by the most cost-effective means available, provide the department of corrections with the names, last dates of services, and addresses of specific regional support networks and mental health service providers that delivered mental health services to a person

subject to chapter 9.94A or 9.95 RCW pursuant to an agreement between the departments.

Provides that information and records shall be disclosed to the department of corrections pursuant to and in compliance with the provisions of RCW 71.05.445 for the purposes of completing presentence investigations or risk assessment reports, supervision of an incarcerated offender or offender under supervision in the community, planning for and provision of supervision of an offender, or assessment of an offender's risk to the community.

Declares that disclosure under this provision is mandatory for the purposes of the health insurance portability and accountability act.

Declares that an offender's failure to inform the department of court-ordered treatment upon request by the department is a violation of the conditions of supervision if the offender is in the community and an infraction if the offender is in confinement, and the violation or infraction is subject to sanctions.

Provides that, when any court orders a person to receive treatment under this act, the order shall include a statement that if the person is, or becomes, subject to supervision by the department of corrections, the person must notify the treatment provider and the person's mental health treatment information must be shared with the department of corrections for the duration of the offender's incarceration and supervision, under RCW 71.05.445. Upon a petition by a person who has no history of violent acts, the court may, for good cause, find that public safety would not be enhanced by the sharing of this person's information.

Requires the department of social and health services and the department of corrections to develop a training plan for department employees, contractors, and necessary mental health service providers and chemical dependency treatment providers covering the information sharing processes for offenders with treatment orders and terms of supervision in the community.

Requires the department of corrections and the department of social and health services, in consultation with prosecuting attorneys, the Washington association of sheriffs and police chiefs, regional support networks, county designated chemical dependency specialists, and other experts that the departments deem appropriate, to develop a model for multidisciplinary case management and release planning of offenders classified as having high resource needs in multiple service areas.

Requires the department of social and health services, in consultation with the appropriate committees of the legislature, to assess the current and needed residential capacity for crisis response and ongoing treatment services for persons in need of treatment for mental disorders and chemical dependency.

Provides that a final report assessing the types, number, and location of beds needed for emergency, transitional, and ongoing treatment shall be submitted to appropriate committees of the legislature by December 1, 2005. Both reports shall set forth the projected costs and benefits of alternative strategies and timelines for addressing identified needs.

-- 2004 REGULAR SESSION --

Feb 10 WM - Majority; 2nd substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 6415-S by Senate Committee on Natural Resources, Energy & Water (originally

sponsored by Senators Morton, Doumit, Hewitt, Hargrove, Honeyford, T. Sheldon, Hale, Murray and Stevens)

Concerning storm water general discharge permits. Revised for 1st Substitute: Concerning the conditioning of industrial and construction storm water general discharge permits.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Authorizes the department to issue storm water general permits under the national pollution discharge elimination system of the federal clean water act if such permits are required to comply with federal standards or are necessary for the effective implementation of chapter 90.48 RCW.

-- 2004 REGULAR SESSION --

Feb 6 NR - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

And refer to Ways & Means. On motion, referred to Rules.

Feb 11 Placed on second reading by Rules Committee.

SB 6419-S by Senate Committee on Government Operations & Elections (originally sponsored by Senators Roach, Kastama, McAuliffe, Oke and Winsley; by request of Secretary of State)

Implementing the Help America Vote Act.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Implements the Help America Vote Act. Repeals RCW 29A.04.181, 29A.08.530, 29A.08.645, 29A.08.650, and 29A.08.750.

-- 2004 REGULAR SESSION --

Feb 6 GO - Majority; 1st substitute bill be substituted, do pass.

And refer to Ways & Means. Referred to Ways & Means.

Feb 10 WM - Majority; do pass 1st substitute bill proposed by Government Operations & Elections.

Passed to Rules Committee for second reading.

Feb 11 Made eligible to be placed on second reading.

SB 6472-S by Senate Committee on Children & Family Services & Corrections (originally sponsored by Senators Hargrove, McAuliffe, Esser, Regala, Stevens and Kohl-Welles; by request of Department of Community, Trade, and Economic Development)

Revising provisions relating to victims of crime.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides opportunities for victim participation in court hearings on juvenile offender matters and ensures that Article I, section 35 of the Washington state Constitution, the victim bill of rights, is fully observed.

Encourages the parents, guardian, or custodian of the juvenile and the juvenile's victim, to the extent the victim is able to or chooses to, to actively participate in the juvenile justice process.

-- 2004 REGULAR SESSION --

Feb 6 CFC - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second

reading.

SB 6489-S by Senate Committee on Children & Family Services & Corrections (originally sponsored by Senators Hargrove and Stevens)

Revising provisions relating to correctional industries.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares an intent to ensure that the correctional industries board of directors, in developing and selecting correctional industries work programs, does not encourage the development of, or provide for selection of or contracting for, the significant expansion of new or existing class I, class III, or class IV correctional industries work programs that unfairly compete with Washington businesses.

Declares an intent that the requirements relating to fair competition in the correctional industries work programs be liberally construed to protect Washington businesses from unfair competition.

-- 2004 REGULAR SESSION --

Feb 6 CFC - Majority; 1st substitute bill be substituted, do pass.

And refer to Ways & Means.

Referred to Ways & Means.

Feb 10 WM - Majority; 2nd substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Feb 11 Made eligible to be placed on second reading.

SB 6508-S by Senate Committee on Agriculture (originally sponsored by Senators Honeyford, Brandland, Roach, Sheahan, Mulliken and Rasmussen)

Suspending business and occupation taxation on certain businesses impacted by the ban on American beef products. Revised for 1st Substitute: Providing temporary tax relief for Washington beef processors.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that, in computing tax there may be deducted from the measure of tax those amounts received for: (1) Slaughtering cattle, but only if the taxpayer sells the resulting slaughtered cattle at wholesale and not at retail;

- (2) Breaking or processing perishable beef products, but only if the perishable beef products are derived from cattle slaughtered by the taxpayer and sold at wholesale only and not at retail;
- (3) Wholesale sales of perishable beef products derived from cattle slaughtered by the taxpayer;
- (4) Processing nonperishable beef products, but only if the products are derived from cattle slaughtered by the taxpayer and sold at wholesale only and not at retail; and
- (5) Wholesale sales of nonperishable beef products derived from cattle slaughtered by the taxpayer.

Declares that the deduction allowed under this act is allowed only for tax liability incurred after the effective date

of this act and until the first day of the month following the date on which the bans on the importation of beef and beef products from the United States of America by Japan, Mexico, and the Republic of South Korea have all been lifted.

Requires the department to provide notice, on the department's web site, of the date on which this deduction is no longer available.

-- 2004 REGULAR SESSION --

Feb 6 AG - Majority; 1st substitute bill be substituted, do pass.
And refer to Ways & Means.
Referred to Ways & Means.

SB 6510-S by Senate Committee on Agriculture (originally sponsored by Senators Swecker, Rasmussen, Haugen and Parlette)

Preserving farms.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that, to better attain the interdependent goals of continued existence of farmland and the economic viability of farms for the future of Washington, state government needs to affirmatively position itself to take maximum advantage of all available federal, regional, state, local, and private sources of funding and programs consistent with achieving these goals.

Finds that there are many other societal, environmental, and economic goals affecting farmland and on farming operations as demonstrated by the significant and permanent loss of agricultural lands and farm operations in many regions of the state.

Finds that a reasonable degree of accommodation can often be found between agriculture and these other societal, environmental, and economic pressures, including the need for land to locate residences and businesses, but such an accommodation requires a thorough understanding of the effects and opportunities to achieve an accommodation without further jeopardizing continued existence and viability of farms in the process.

Declares that, because of this growing understanding, funding for several programs are being offered by the federal, regional, state, local, and private sources to enhance the opportunity of farms to exist, farmers to be economically viable, and farms to provide enhanced fish and wildlife habitat on private lands while retaining continued agricultural use.

Finds that the competitive marketplace for agricultural products is becoming more international and that the continued existence of a viable agricultural sector in Washington state depends on the feasibility of farms to compete successfully with its competitors.

Creates the farms for the future of Washington account in the custody of the state treasurer.

-- 2004 REGULAR SESSION --

Feb 6 AG - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 6531-S by Senate Committee on Judiciary (originally sponsored by Senators Johnson, Kline and Esser; by request of Department of Social and Health Services)

Modifying estate adjudication provisions.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises estate adjudication provisions.

-- 2004 REGULAR SESSION --

Feb 6 JUD - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Feb 11 Made eligible to be placed on second reading.

SB 6534-S by Senate Committee on Land Use & Planning (originally sponsored by Senators Hargrove and Mulliken)

Designating processes and siting of industrial land banks.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Designates processes and siting of industrial land banks.

-- 2004 REGULAR SESSION --

Feb 6 LU - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second

Passed to Rules Committee for second reading.

SB 6548-S by Senate Committee on Natural Resources, Energy & Water (originally sponsored by Senators Honeyford, Hewitt, Mulliken and Sheahan)

Modifying the wildlife crop damage program.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Authorizes the department and the person making the claim for rangeland damage to agree to grazing on department lands in lieu of or as part of the claim settlement.

Provides that, for the purposes of this act, assessments of rangeland damage shall be completed by a third party rangeland expert selected jointly by the department and the claimant. If the parties do not agree, the assessment will be conducted by rangeland experts selected by Washington State University. Any costs associated with such an assessment must be reimbursed by the department.

-- 2004 REGULAR SESSION --

Feb 6 NR - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Passed to Rules Committee for second reading.

SB 6559-S by Senate Committee on Children & Family Services & Corrections (originally sponsored by Senators Stevens and Hargrove)

Revising temporary assistance for needy families.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that it remains the intent of the legislature that all applicants to the Washington WorkFirst program shall be focused on obtaining paid, unsubsidized employment. The focus of the Washington WorkFirst program continues to be work for all recipients.

Declares that the key principles of the state temporary assistance for needy families program must be to help move people from welfare to work; to be a short-term transitional experience, not a way of life; and to assist families to receive the child care and health care they need to protect their children as they move from welfare to work.

Recognizes that there will always be families while working hard to find work, need assistance over a longer period.

Declares an intent to ensure that these families have available to them continuing assistance and other services and resources that will assist in gaining competitive employment while those who are uncooperative and malingering no longer receive a cash grant.

-- 2004 REGULAR SESSION --

Feb 6 CFC - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second

SB 6572-S by Senate Committee on Commerce & Trade (originally sponsored by Senators Mulliken, Keiser, Franklin, Schmidt, Oke and Rasmussen)

reading.

Concerning problem gambling. Revised for 1st Substitute: Addressing problem gambling.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires the gambling commission through the director or the director's designee to negotiate compacts for class III gaming on behalf of the state with federally recognized Indian tribes in the state of Washington. A topic of negotiation shall be a discussion of problem gambling issues and whether the Indian tribe whose compact is being negotiated would consider a contribution for services for problem gambling.

-- 2004 REGULAR SESSION --

Feb 6 CT - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 6578-S by Senate Committee on Government Operations & Elections (originally sponsored by Senators Roach, Berkey, Schmidt, Keiser, Murray, Shin, Oke, Rasmussen and Benton)

Authorizing extended military leave for certain public employees.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that every officer and employee of the state who is a member of the Washington national guard or of the army, navy, air force, coast guard, or marine corps reserve of the United States, or of any organized reserve or armed forces of the United States is entitled to and shall be granted military leave of absence from their employment for a period not exceeding two years subject to a mobilization for a period exceeding thirty days under Title 10 or 32 of the United States Code.

Declares that this military leave of absence is in addition to any vacation or sick leave to which the officer or employee might otherwise be entitled, and shall not involve any loss of efficiency rating, privileges, or pay. During the period of military leave, the officer or employee shall receive his or her normal pay from the state after deduction of military pay and allowances. The department of personnel shall adopt rules necessary to implement this act.

-- 2004 REGULAR SESSION --

Feb 6 GO - Majority; 1st substitute bill be substituted, do pass.

And refer to Ways & Means.

Referred to Ways & Means.

SB 6584-S by Senate Committee on Commerce & Trade (originally sponsored by Senators Hewitt, McAuliffe, Honeyford and Eide)

Modifying liquor licensing provisions.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that licensees under RCW 66.24.320 that hold a caterer's endorsement are allowed to use this endorsement on a domestic winery premises under the following conditions: (1) Agreements between the domestic winery and the retail licensee shall be in writing, contain no exclusivity clauses regarding the alcohol beverages to be served, and be filed with the board; and

(2) The domestic winery and the retail licensee shall be separately contracted and compensated by the persons sponsoring the event for their respective services.

-- 2004 REGULAR SESSION --

Feb 6 CT - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Feb 11 Made eligible to be placed on second reading.

SB 6615-S by Senate Committee on Commerce & Trade (originally sponsored by Senators Honeyford, Mulliken, Rasmussen and Prentice)

Encouraging employment of workers with developmental disabilities.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Encourages employment of workers with developmental disabilities.

Provides that, to encourage employment of injured workers who have a developmental disability as defined in RCW 71A.10.020, the department may adopt rules providing for the reduction or elimination of premiums or assessments from employers of such workers and may also adopt rules for the reduction or elimination of charges against their employers in the event of further injury to such workers in their employ.

-- 2004 REGULAR SESSION --

Feb 6 CT - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Feb 11 Made eligible to be placed on second reading.

SB 6641-S by Senate Committee on Natural Resources, Energy & Water (originally sponsored by Senators B. Sheldon, Oke, Spanel, Carlson, Fraser, Shin, Regala, Winsley, Kohl-Welles, Poulsen, Kline, Fairley, Jacobsen, Prentice, Haugen, Berkey, Brown, McAuliffe, Franklin, Rasmussen and Keiser)

Reducing the risk of oil spills and spill damage.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that the primary objective of the state is to adopt a zero spills strategy to prevent any oil or hazardous substances from entering waters of the state.

Requires the department to adopt rules as necessary to carry out the provisions of this act by June 30, 2006. The rules shall include standards for the circumstances under which containment equipment should be deployed including standards requiring deployment of containment equipment prior to the transfer of oil when determined to be safe and effective by the department. The department may require a person or facility to employ alternative measures including but not limited to automatic shutoff devices and alarms, extra personnel to monitor the transfer, or containment equipment that is deployed quickly and effectively.

Requires a process for immediately notifying affected tribes of any oil spill.

-- 2004 REGULAR SESSION --

Feb 6 NR - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Feb 9 Made eligible to be placed on second reading.

Feb 11 Placed on second reading by Rules Committee.

SB 6646-S by Senate Committee on Natural Resources, Energy & Water (originally sponsored by Senators Murray, Kline, Sheahan, Poulsen, Swecker, Kohl-Welles and Benton)

Providing tax incentives for alternative fuels.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides tax incentives for alternative fuels.

Directs the department to issue a sales and use tax deferral certificate for state and local sales and use taxes due under chapters 82.08, 82.12, and 82.14 RCW on each eligible investment project, if the investment project is undertaken for the purpose of manufacturing biodiesel, biodiesel feedstock, or alcohol fuel.

Expires the earlier of: (1) July 1, 2009; or

(2) July 1st of the fiscal year following the first calendar year in which the volume of biodiesel fuel manufactured in Washington exceeds twenty percent of the total of the volume of diesel fuel and biodiesel fuel manufactured in Washington, as determined by the

department, in consultation with the department of community, trade, and economic development, using data reported by the federal energy information administration. Repeals RCW 82.68.040.

-- 2004 REGULAR SESSION --

Feb 6 NR - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 6655-S by Senate Committee on Commerce & Trade (originally sponsored by Senators Hewitt, Keiser and Rasmussen)

Regulating authorized representatives of beer and wine manufacturers and distributors.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that authorized representatives must hold a certificate of approval to allow sales and shipment of United States produced wine to licensed Washington wine distributors or importers.

Declares that authorized representatives must also hold a certificate of approval to allow sales and shipments of foreign produced wine to licensed Washington wine distributors or importers.

-- 2004 REGULAR SESSION --

Feb 6 CT - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Feb 11 Placed on second reading by Rules Committee.

SB 6662-S by Senate Committee on Natural Resources, Energy & Water (originally sponsored by Senators Morton, Honeyford and Mulliken)

Concerning the administration of water rights.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides certainty and clarity in the administration of water rights.

-- 2004 REGULAR SESSION --

Feb 6 NR - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
And refer to Ways & Means.
On motion, referred to Rules.

SB 6709-S by Senate Committee on Government Operations & Elections (originally sponsored by Senators Roach, Kastama, Fairley, McCaslin, Stevens, Schmidt, Shin, Berkey, Horn, Kline, Jacobsen, Keiser, McAuliffe, Winsley, B. Sheldon and Eide)

Promoting voter registration among youth.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that the purposes of this act are to increase youth voter participation through increased voter registration, and to encourage the youth of the state of Washington to take pride in their civic responsibilities.

Requires the department of licensing to, four times a year, furnish to the county auditors a list of holders of intermediate driver's licenses under RCW 46.20.075 who have attained age seventeen and one-half years or older, together with the addresses and dates of birth of the licensees.

Requires the county auditor to prepare and update information concerning upcoming elections and polling places. The auditor shall, during the month in which the licensee's eighteenth birthday occurs, send that information and a voter registration card to each holder of an intermediate driver's license who resides in the county. The information shall contain a concise statement of who is eligible to vote.

-- 2004 REGULAR SESSION --

Feb 6 GO - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 6720-S by Senate Committee on Natural Resources, Energy & Water (originally sponsored by Senators Honeyford, Mulliken, Rasmussen, Sheahan, Parlette, Morton and Swecker)

Providing a property tax exemption for certain land zoned or designated for agricultural use.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that, if the water right for the use of water for agricultural purposes on real property that is zoned or designated for agricultural use by a local government is found to be relinquished under chapter 90.14 RCW or is judicially found to be abandoned, the real property that is used for agricultural purposes is exempt from taxation for as long as it is zoned or designated for agricultural use by a local government or until such time a new water right is issued.

Applies to taxes levied for collection in 2005 and thereafter.

-- 2004 REGULAR SESSION --

Feb 6 NR - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
On motion, referred to Ways & Means.

SB 6732-S by Senate Committee on Natural Resources, Energy & Water (originally sponsored by Senators Honeyford, Mulliken and Rasmussen)

Creating the stock water account. Revised for 1st Substitute: Creating the water supply account.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Creates the water supply account in the custody of the state treasurer.

Requires the department of community, trade, and economic development to provide grants from the water supply account created in this act to any county-based economic development agency that makes application for such grants, to the extent such funds are available.

Provides that, an economic development agency receiving a grant under this act may only use the grant to acquire, lease, or otherwise obtain water for economic development purposes.

-- 2004 REGULAR SESSION --

Feb 6 NR - Majority; 1st substitute bill be substituted, do pass. Minority; do not pass. Passed to Rules Committee for second reading.

SB 6741 by Senators Stevens, Hargrove, Swecker, Fairley, Honeyford, Mulliken, Sheahan,

Rasmussen and Oke

Imposing an additional sales and use tax on adult entertainment materials and services.

Declares an intent to dedicate the revenues from a tax on the sale and use of adult entertainment materials and services to crime victims' compensation, with an emphasis towards providing services, support, or therapy to those children who are victims of sexual abuse.

Declares that there is levied and there shall be collected a tax on each retail sale of adult entertainment materials and services equal to eighteen and one-half percent of the selling

Provides that all revenues collected on sales and use of adult entertainment materials and services under chapter 82.08 or 82.12 RCW shall be deposited in the public safety and education account under RCW 43.08.250 and shall only be used for the purposes of crime victims' compensation, with an emphasis towards providing services, support, or therapy to those children who are victims of sexual abuse.

-- 2004 REGULAR SESSION --

Feb 11 First reading, referred to Ways & Means.

Senate Joint Memorials

SJM 8054 by Senators Rasmussen, Winsley, Jacobsen, Kline, Finkbeiner, McCaslin, Regala, Spanel, Roach, Fraser, Benton, B. Sheldon, McAuliffe, Franklin, Prentice, Haugen, Hargrove, Brown, Thibaudeau, T. Sheldon and Oke

Requesting the Supreme Court to vacate the conviction of Chief Leschi.

Requests that the Supreme Court of the State of Washington use its inherent power of providing justice to vacate the conviction of Chief Leschi and depublish the record in his case.

-- 2004 REGULAR SESSION --

First reading, referred to Judiciary.

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